

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Daniel Leroy Patten,

Civ. File No. 07-1476 (PAM/RLE)

Plaintiff,

v.

ORDER

Sarah E. Herrick, in her private capacity, and in her official capacity as MSOP-DOC Site, Psychology Supervisor/Program Lead,

Defendant.

This matter is before the Court on the Report and Recommendation of Chief Magistrate Judge Raymond L. Erickson dated January 11, 2008. Plaintiff did not file objections to the Report and Recommendation in the time period permitted. Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Motion for Voluntary Dismissal (Docket No. 40) is **DENIED**.

Dated: February 14, 2008

s/Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge